

The APPRAISER *Bulletin*



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Executive Director Change

Joe E. Wright, pictured here, has been selected by the Board to be the third Executive Director of the Alabama Real Estate Appraisers Board. He follows Bobbie Eddins (91-96) and J. W. Holland, Jr. who will retire March 1, 2005. Mr. Wright completed high school in Montgomery and after serving in the U.S. Navy, he attended Auburn (AUM) University. He has 28 years of appraisal experience. From 1983 to 2003, Mr. Wright owned a full service appraisal business in Montgomery. He and his associates appraised residential properties in central Alabama and commercial properties in all areas of Alabama, as well as other states in the Southeast. The new Director was a Certified General Real Property Appraiser. He was also a member of the Appraisal Institute and held both MAI and SRA designations.

2005 USPAP Changes

The Appraisal Standards Board (ASB) has issued its latest version of USPAP effective January 1, 2005. The new document has two added items and one that was deleted. Most changes made are for clarity and better understanding. A brief synopsis of the changes is as follows: **Definitions** There are three (3) changes to the Definitions section APPRAISAL REVIEW was edited to clarify that appraisal review applies only to the work of another appraiser; CASH FLOW ANALYSIS was deleted, as the term is not used in USPAP. The Comment in the definition for REPORT was edited referencing the types of reports. **Standard 3** The ASB has also edited Standard 3 to clarify that the appraisal review applies only to the work of another appraiser in an appraisal, appraisal review, or appraisal consulting assignments. **Citation of Source for Value Definitions** The purpose here is to clarify the requirements for reports to include citation of the source of the value definition used.

Statement on SMT No. 6 The requirement to report exposure time has been deleted from SMT-6. This change was made because disclosure of exposure time is not necessary for all assignments. The change does not affect the requirement to

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MEASURING UP: UNDERSTANDING ANSI STANDARD

By Scott Austin Lic. #L00264

"Would you mind going back to the house & re-measuring? There is more than a 5% difference in GLA (gross living area) between your sketch & that of the other appraiser.

I received this question from a specialist with a large relocation company. As per Employee Relocation Council (ERC) standards, my appraisal was one of two ERC appraisals required prior to purchasing a home from a transferee. So, what is one to do in this scenario? Should both appraisers go back & re-measure hoping for a different outcome? The answer I gave the relocation specialist surprised her.

"Actually, my sketch of the house has to be correct," I told her.

"How can you be sure?"

"Well on the main level, my front & rear measurements were within a tenth of a foot of each other. My side measurements were within a tenth of a foot of each other. My second floor sketch also worked out beautifully. And, I measured the house using the ANSI Z765 standard."

"The What"?

"Well, ANSI Z765 is the only recognized standard for calculating square footage in houses. And the ERC was one of the original sponsors in the process of drafting the standard."

"Really? Well...I'm going to call the other appraiser."

That ended the discussion & I never heard another word about it. On another occasion I had a homebuilder turned mortgage lender challenge me. "None of you guys (appraisers) measure a house the same way. It's not like there's any one way to measure a house."

"I can't speak for other appraisers but I always follow the ANSI standard when I measure a house," I told him.

"What's that?" he questioned.

"Well John, you're a former homebuilder. The process that created the ANSI standard was actually commissioned by the National Association of Homebuilders (NAHB). You haven't heard of it?"

History Lesson

In 1915, the Building Owners and Managers Association International developed a standard for measuring commercial buildings. The standard has been revised many times over the years and is today officially known as ANSI/BOMA Z65.1-1996. The process for creating a residential standard did not begin until 1994, with ANSI Z765 finally born in 1996. The standard was recently updated & is now called ANSI Z765-2003. It is the only nationally recognized standard for measuring houses & townhouses.

Like any system of weights & measures, this standard for measuring houses provides a means of accountability for the practitioner of that standard. As a result, the intended user can have a reasonable degree of confidence in the results of a sketch provided in an appraisal or gross living area (GLA) provided in an MLS listing. This is where ANSI comes in. It brings common sense to the process of the calculating square footage & in so doing, lends credibility to those willing to voluntarily adhere to its careful guidelines.

One of the best arguments for using the standard is found by looking at the list of organizations that took an interest in its original development. These are a few of the 26 organizations represented in the process: Fannie Mae, Freddie Mac, HUD, VA, Appraisal Foundation, National Association of Homebuilders, Manufacture Housing Institute, American Institute of Architects, National Association of Realtors & the Employee Relocation Council.

Without question, if I am appraising a property for a VA loan, and the selling agent calls me with a question about the subject's size, I am going to refer her to the ANSI standard & to the involvement of the Realtors & the VA in its development. The fact is, most people associated with the organizations that developed this standard have never heard of it. When I suggest this is "your standard," they generally confess their ignorance & quietly back away. I don't have to rely on my own credibility. I merely follow the standard and allow it to speak for itself.

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Risk Management

In this increasingly litigious society, appraisers are finding themselves in the crosshairs of disgruntled clients & property owners. One of the major reasons appraisers find themselves in court is square footage calculation. Because square footage is documented in black & white terms, significant discrepancies in its calculation make for an easy target in court, where an appraiser's credibility can be called into question. If I can lean on the credibility of the ANSI standard in a case where the other appraiser cannot, my credibility is enhanced.

ANSI & Cost Approach

For years, I have heard appraisers complain that the cost approach is irrelevant & does not work. I will not speak to its relevance. I do, however, find my cost approach results to be strikingly accurate. I know there are several reasons for this, one being that when I measure my subject, I use the ANSI Z765 standard. I contacted Marshall & Swift & they confirmed that the manner in which they calculate residential square footage costs is consistent with the principles put forth in the ANSI standard. Distinctions of above grade & below grade, as broken down in the cost manual, are also consistent with the standard.

How can you expect to get an accurate cost approach if your methodology for calculating square footage is not consistent with the methodology used to develop the multipliers in your cost manual? The answer is that you can't. To accurately determine value using the cost approach, we must be students of methodologies.

What ANSI Is and Isn't

The ANSI standard is intended for use in calculating square footage in detached & attached single-family residences. It should not be used as a means of measurement for commercial buildings or apartment multifamily buildings. There are other recognized standards that should be employed when appraising these types of properties. Also, to date, there is no recognized standard for calculating square footage in condominiums.

Calculating Square Footage 101

Measurements of each level should be made to the "exterior finished surface of the outside walls." When measuring a second floor from inside the residence, the thickness of the walls should be included in the calculations. For attached homes it may be appropriate to measure from the centerlines.

Areas protruding from a finished area may be included as finished, provided they have a floor on the same level as the rest of the living area & meet ceiling height requirements (described in the next section). So, where a fireplace would not be included in GLA calculations, a bay window could be. There would be no deduction for a fireplace which was located within the exterior walls, however. A window box, which protrudes from the exterior but does not have a floor common to the level on which it is located, is not calculated.

When finished & unfinished areas are adjacent to one another the finished area should be calculated by measuring to the exterior surface of the inside wall separating the two areas. Similarly, the measurement of the unfinished area should be from the exterior finished surface of the outside wall to the exterior surface of the inside wall.

If I can't stand on it, is it still GLA?

The two most common misunderstandings of what is and is not considered to be calculated area are areas beneath a sloping ceiling & areas open to the floor below.

No area may be considered as living area if they do not have a ceiling height of at least 7 feet, with two exceptions. First, areas under a sloped ceiling may be included as living area as long as they have an average ceiling height of 7 feet. However, no portion of an area that has a ceiling height of less than 5 feet may be included as finished area. Second, all areas with sloped ceilings underneath stairs may be counted as finished area, regardless of ceiling height.

DISCIPLINARY REPORT

The Alabama Law requires the Board to regulate the conduct of appraisers in Alabama. The Board's Administrative Rules outline the procedure for handling complaints. The Uniform Standards of Professional Appraisal Practice provide the basic ethical standards for which appraisers must comply. Appraisers should carefully note the following violations, which resulted in disciplinary action by the Board.

AB-00-66 – Following a hearing on July 19, 2002 the Board issued a public reprimand to **Sarah Denise Hall (R00568)**, a certified Residential for a condominium appraisal on November 14, 2002. Licensee was also ordered to pay a \$1,000 administrative fine and her ability to supervise trainees was suspended for one year. Licensee appealed the Board's decision to the Circuit Court of Baldwin County. The Order of the Board was stayed pending the appeal conditioned on Licensee's agreement that she would supervise only one Trainee Real Property Appraiser who also holds a Florida Certified Residential Real Property Appraiser license. On October 21, 2004, the case was concluded by agreement. Licensee accepted the public reprimand and paid the \$1,000 administrative fine. Her ability to supervise Trainee Appraisers was reinstated on that date. Violations included Respondent developed and communicated the Sales Comparison Analysis using three gulf front condominium sales that were misrepresented as interior for View in order to favorably compare with the interior, restricted water view of the Subject. Substantial (-) adjustments that should have been made for superior View were omitted and the Sales Comparison Approach value conclusion was significantly inflated as a result. Respondent failed to disclose and adjust for the inclusion of personal property (Furnishings) in Sale #1. In the Sales Comparison Analysis, a 7-month old sale of an identical unit located one floor above the Subject was excluded. This sale indicated a value for the Subject that was \$37,500 lower than the Sales Comparison Approach value conclusion. The Appraisal report was misleading and the final value conclusion was not supported by credible analysis of the comparable market data.

AB-02-25 – On October 15, 2004, the Board suspended the license of **George J. Porter, III (R00359)** a Certified Residential for three months based on a consent settlement. The suspension was stayed on the following conditions: Licensee pay a \$725 Administrative fine; serve an 18-month probation following the suspension; and that further violations occurring in the

suspension or probation period will result in the immediate revocation of the appraisal license. Violations include Licensee submitted a copy of the appraisal report to the Board that contained an addendum page not included in the report submitted to the Lender. The addendum addressed environmental contamination and qualified that the report was subject to information received from the industry. Licensee reported in an addendum submitted to the Lender that he had made a routine inquiry that "suggested no known potential of environmental hazard". Contamination in the subject's market area had been widely publicized through televised ads, newspaper articles, and EPA publications. Licensee failed to report and/or analyze the impact of environmental contamination on subject's value and marketability.

AB-02-72 – On November 19, 2004, the Board issued a private reprimand to a Licensed Real Property Appraiser. Consent settlement terms are a \$500 administrative fine and completion of 15-hour USPAP course with exam. Violations include Licensee made inconsistent adjustments for differences in site sizes: a negative \$3000 adjustment was made on Comp 1 for a 2.3 acre tract, and no adjustment was made on Comp 2 for a 6 acre tract compared to the subject's .9 acre. A negative \$15,000 adjustment was made on Comp 3 for a 16.6-acre tract. No adjustment was made on Comp 5 for a 6-acre tract. Licensee reported that "site values and adjustments are determined through market extraction and lot sales data", but provided no supporting documentation in the work file.

AAB-02-104 – On November 19, 2004, the Board issued a private reprimand to a Certified Residential. Consent settlement terms are an \$825 administrative fine. Violations include Licensee committed a substantial error of omission that significantly affected the appraisal and failed to properly identify the physical characteristics of the subject property. Licensee failed to include in the gross living area of the subject property square footage converted from a two-car garage into a new kitchen/eating area. The subject property sketch reflected a two-car garage.

AB-03-70 – On October 15, 2004, the Board suspended the license of **Laurie LeMaster, (R00659)** a Certified Residential for four months beginning November 1, 2004 based on a consent settlement. The fourth month of the

suspension is stayed. Licensee must pay a \$2,000 administrative fine; complete a 15-hour USPAP course with exam, and serve a one-year probationary period following suspension. New complaints during the probationary period could result in the immediate revocation of the license. Violations include: Licensee failed to keep true copies of twenty (20) appraisal reports and engagement letters. Licensee failed to report accurate sales history on the subject appraisal and nineteen (19) additional appraisal reports performed for the same owner/client where Licensee had previously appraised the properties.

AB-03-94 – On November 19, 2004, the Board issued a private reprimand to a Certified Residential. Consent settlement terms are a \$1,050 administrative fine and completion of 15-hour USPAP course with exam. Violations include Licensee failed to exercise reasonable diligence in developing the subject appraisal. In the Sales Comparison Approach, Licensee used sales from superior subdivisions that exhibited significant dissimilarities to the subject with respect to Location, Site, Condition, Quality, Design, and Amenities. The comparable sales were not from competing neighborhood nor similar to the subject's rural location. There were six (6) sales in much more similar location, site and condition that were not considered by the Licensee. This resulted in a misleading appraisal report.

AB-04-72 – On October 15, 2004, the Board issued a private reprimand to a Certified Residential on a residential appraisal. Consent settlement terms are a \$500 administrative fine and completion of 15-hour USPAP course with exam. Violations include Licensee failed to report and analyze the 3-year sales history of the subject property.

Letters of Warning were issued on the following investigations for the discrepancies indicated. This disciplinary action will be considered in any future discipline proceedings.

AB-03-25 – On October 4, 2004, to a Certified Residential for a residential appraisal where one of the comparable sales was chosen from a non-competing neighborhood when sales in the subject's neighborhood were available for use as comparables. **AB-03-71** – On October 20, 2004, to a Licensed Real for a residential appraisal where superior quality properties were used as comparables and needed adjustments for amenities were omitted.

DISCIPLINARY REPORT

Continued from page 4

AB-03-73 – On October 20, 2004, to a Certified Residential for a residential appraisal. On page one of the URAR subject is stated to be of average condition while in the sales comparison analysis on page two, condition of subject is reported as above average, MLS and county records are listed as data source for the sales comparison information. URAR shows Comp #1 sale price is \$125, 000, MLS shows sale price as \$124,000. URAR shows Comp #2 has a 2-car garage and a \$1,500 adjustment is made, MLS shows parking is a one-car driveway. URAR shows Comp #3 sale price is \$107,900; MLS shows the sale price as \$106,500.

AB-04-02 – On October 20, 2004, to a Certified Residential for a residential appraisal where economic life of a manufactured home is estimated at 50 years citing Marshall & Swift. The cited data source estimates the economic life to be 40 years. Neighborhood not accurately described by failure to report numerous abandoned cars located in the front and rear of a neighboring property.

AB-04-30 – On October 7, 2004, to a Certified Residential for a residential appraisal where the intended use, scope, statutory certification and USPAP certification were omitted and where adjustments in the sales comparison

approach were inconsistent and unsupported. **AB-04-35** – On September 28, 2004, to a Certified General for failing to report the participation of two Trainee Real Property Appraisers

Disciplinary actions are based on all of the circumstances developed on a case-by-case basis, including the nature and severity of the offenses involved, prior disciplinary history and findings in support of a conclusion that the respondent has been rehabilitated. Violation descriptions may be summarized in instances where they would become repetitive. For these reasons cases may appear similar on their face yet warrant different sanctions.

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Areas open to the floor below are not included in the calculated area. So in the case of a two-story foyer, only the actual floor area is calculated.

Calculations for stair area should be attributed to the level from which the stairs descend. This is true regardless of the degree to which the stairs/stairwells are finished. The area attributed to the stairs includes the treads & landings but should never exceed the size of the floor opening. For example, a typical stairwell may be 4 feet wide where it begins its decent from a second floor. If the stair flairs to 6 feet wide at the main level, & the opening at the top is no wider than the treads, then only the dimensions consistent with the opening can be used.

Communicating Your Results

The ANSI standard specifies how your calculations are to be communicated. All area calculations are to be broken down into the specific levels of the residence, either above grade or below grade (i.e. first floor, second floor, below grade/basement). Furthermore, areas must be designated as finished or unfinished.

Grade is ground level at the exterior of the residence. For any level of a house to be considered above grade, the entire level must be above ground level. Likewise, if any portion of an area is below ground level, then the entire level is considered below grade.

Finished is defined as "An enclosed area in a house that is suitable for year-round use, embodying walls, floors & ceilings that are similar to the rest of the house." Also, implied in this definition, is that a finished area will be climate controlled in a manner consistent with the rest of the house.

While the ANSI standard does not specifically use the term Gross Living Area (GLA), its use accurately depicts how GLA is to be calculated. On all current appraisal forms, GLA is understood to mean above-grade, finished area. It is clearly differentiated from below grade areas & finished below grade areas.

Finished areas not connected to the main part of the house by means of a finished hallway or staircase should not be included as a part of the finished area at the same level. Thus, a bonus room over an attached garage, which can only be accessed through the garage, should not be included in the living area of the house's second floor. Likewise, a detached guesthouse should be described as a distinct area, not gross living area.

2005 USPAP Changes

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develop an estimate of exposure time in market value assignments. **Standards Rules 1-3(b) and 6-2(k)** These have been edited to remove the requirement to always value land as if vacant and available for development for its highest and best use. The ASB felt that this is considered a methodology in appraising real property and should not be part of standards. **New Language** Several Standards Rules and Statements on Appraisal Standards have new language that requires "clear and conspicuous" disclosure of extraordinary assumptions and hypothetical conditions, rather than disclosure "in conjunction with" each opinion or conclusion. Language that required an appraiser to indicate the "impact on value" of an extraordinary assumption or hypothetical condition has been replaced with language requiring disclosure that use of the extraordinary assumption or hypothetical condition might have affected the assignment results. **Standards, Statements on Standards, and Advisory Opinions** Edits are found throughout regarding the term "purpose" due to its varied intended meanings. The edits give more accurate language for such terms as "intended use", "problem to be solved", and "type and definition of value".

Certifications – Multiple Disciplines Involved Edits are made to the requirements for certifications when multiple disciplines are involved. These changes can be found in Standards Rules 2-3, 5-3, 6-8, 8-3, and 10-3 and are designed to clarify an appraiser's responsibility in an assignment. **Statement on SMT No. 7** Edits were made so that this Statement is more accurate with regard to levels of reliability. The previous version was incorrect in stating that a Complete Appraisal is always more reliable than a Limited Appraisal. There are situations where this may not always be the case. **Advisory Opinion 6** This Advisory Opinion was retired. More recent guidance has been issued in AO-20, newly revised AO-21, and in the Frequently Asked Questions on The Appraisal Review Function. **Advisory Opinion 21** This Advisory was renamed "USPAP Compliance" with revisions to provide greater clarity as to an appraiser's obligation for complying with USPAP. **New INDEX** A new topical index has been added with edits to appropriate sections to improve consistency and conformity. **Structure & Usability** There are new labels indicating applicability to the various appraisal disciplines. These labels are located at the beginning of each Statement and Advisory Opinion and the Table of Contents. **Abbreviations** are: RP – Real Property; PP – Personal Property; IP – Business; ALL – All disciplines

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The updated edition of the ANSI standard now allows for some decorative concrete floors to be considered finished floors. Thus, some enclosed, climate controlled patios and sun porches may now be included as living area.

Garages, whether attached or detached, are not considered living area because they do not meet the previously stated requirements for finished areas. The principle also applies to utility/storage areas, decks, open porches & open patios. All such areas should be described individually.

The ANSI standard is not intended to supercede any locally imposed system of residential measurement. It may, in many places around the country, challenge longstanding paradigms. The standard is more appealing to those of us who are more interested in getting it right than those who are primarily interested in just getting it done.

Personally, I was glad when I learned that my state had adopted the ANSI Z765 as a supplemental standard. We now have no legitimate excuse for gross differences in GLA measurements.

Note: The technical aspects of this article were reviewed for accuracy by staff at the NAHB.

Scott Austin is a Licensed Real Property Appraiser in Birmingham, AL. He can be contacted at ScottAustin1969@aol.com

This article was published in the August 2004 edition of Working RE magazine.

APPRAISERS WHO HAVE NOT RENEWED

For the License Year 10-1-04 Through 9-30-05

Anna F. Ashley	T01358	Valerie Askew	T01268	Steven R. Bledsoe	T01361
Karen K. Beane	T01084	David S. Black	T00866	James B. Brown	T01112
James D. Bolton	T01372	Josh B. Brock	T01341	Wendy Carlile	T01435
Bobby R. Cannon	T00979	Joseph F. Cannon	T00689	George Cordell	T01484
Frederick Chatman	T01127	Rebecca C. Clifton	T01116	Mentera J. Crutcher	T01290
Floyd P. Cormier	T01326	Richard N. Craig	T01108	Rachel O. Davis	T01172
Will W. Dark	T01302	Ingrid Davidson	T00649	Brenda E. Driver	T01060
Thomas J. Davis	T01400	Trey J. Downey	T01210	Mick C. Fieldbinder	T01347
John M. Eslava	T01449	Fay E. Farmer	T01065	Lorenzo A. Green	T01027
William R. Fisher, Jr.	T00908	Scott N. Gartman	T00692	Jeff P. Hawkins	T01271
James A. Griffin	T00707	Christopher Hammack	T01207	Charles B. Holley	T01219
Matthew T. Heinecke	T01061	Natalie Hollar-Masood	T01317	Roland M. Jenkins	T01443
Amy B. Holloway	T01320	Larry C. Jefferson	T01225	Julie M. Kay	T01129
Wheeler F. Jernigan	T01198	Charles R. Jones, III	T01428	W. Scott Listuon	T00716
John W. Kidd, Jr.	T01460	Michael C. Lackey	T01131	Michael B. Mackinaw	T01394
Robert E. Lowell, Jr.	T01166	Ronald T. Machen	T01261	Bart A. Medlen	T01230
Tina Maynard	T01370	Dennis R. McLevaine	T01354	Michael L. Nelson	T01437
Jerrell A. Mitchell	T01434	Williams L. Moses	T01238	Diane E. Osborne	T00970
Tray B. NeSmith	T01397	Thomas J. Oakes	T00797	Andrew J. Poe	T01410
Hayley L. Penland	T01380	Heather M. Phillips	T01404	Robin D. Roberson	T01243
William E. Reynold, Jr.	T01245	Debbie A. Richardson	T00671	Mark E. Smithers	T01363
Denise Shelton	T01314	Billy G. Simmons	T01186	Laura J. Steenson	T01263
Clayton K. Speed	T01353	Stephen T. Spray	T01365	Carl D. Wall	T01263
Edward A. Stevenson, III	T00549	Howard D. Thomas	T00025	David Weldon	T00330
Richard A. Wallace	T01325	Kaci L. Watts	T01352	Timothy J. Whitlow	T01339
Stanley A. Wheat	T01228	Bradley K. White	T01422	Sherry A. Wright	T01343
Sandra J. Williams	T00946	James B. Wood	T01307	Philip V. Ceccarossi	S00077
Harold W. Wycoff	T01408	Kelvin L. Young	T01411	William G. Gattis	L00240
John J. Elkourie	S00059	Linda W. Marx	S00086	Susan D. Ables	R00727
Roy L. Jones	L00202	Thomas McLaughlin, Jr.	L00001	Jeannie R. Brown	R00042
Donald E. Alcorn	R00011	Robert H. Babcock	R00482	Ronnie D. Foster	R00495
Gerald C. Coggin, Jr.	R00523	Herman D. Ellzey	R00381	Margie R. Humphres	R00350
James P. Higen	R00765	Barry S. Hollyfield	R00580	Michael G. Jones	R00563
G. David Jackson	R00150	H. C. Johnson, Jr.	R00155	Brenda S. Thompson	R00650
Juanell B. Potter	R00564	Sandra Schmidt	R00717	Anita M. Wells	R00620
David F. Tucker	R00402	Martha Walters-Pierce	R00435	Marcus E. Bailey	G00284
David M. Ambrose	G00665	James M. Bagwell	G00122	Joe W. Brock	G00261
John Blackwell, Jr.	G00126	David J. Blesch	G00646	Douglas R. Gilbert	G00559
Craig A. Brodsky	G00555	Ted D. Brooks	G00677	Charles L. Jones	G00301
David M. Hale	G00142	Richard R. Hite	G00577	Mark A. Thibodeau	G00668
Martin T. Shaver	G00661	Frank B. Stone, Jr.	G00226	Michael W. Welch	G00658
Chris M. Wade	G00641	Joel T. Watts	G00663		
Linda B. Yates	G00053	Gloria A. Baldwin	T01135		

Alabama Real Estate Appraisers Board
RSA Union Building
100 N. Union, Suite 370
Montgomery, AL 36104
Telephone 334/242-8747, Fax 334/242-8749
WEB Address: www.reab.state.al.us

Editor: Miriam Young

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Executive Director

POSTAGE

CHANGE OF ADDRESS FORM

In accordance with the Code of Alabama, 1975, § 34-27A-16, which requires **IMMEDIATE** written notification to the Board of changes in business and resident addresses, **PLEASE CHANGE MY ADDRESS TO:**

Business: (Preferred Mailing _____)

Home: (Preferred Mailing _____)

Telephone No.: _____

Telephone No.: _____

Signed: _____

License Number: _____

Date: _____